

No. 07-1732

05-74085 2

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

DENNIS ELLIOTT,

Petitioner-Appellant,

V.

KENNETH ROMANOWSKI, Warden,

Respondent-Appellee.

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FILED
May 07, 2008
LEONARD GREEN, Clerk

FILED
MAY 12 2008
CLERK'S OFFICE
DETROIT

Before: BATCHELDER, SUTTON, and FRIEDMAN, Circuit Judges.*

Dennis Elliott has filed a petition for rehearing of this court's order entered January 22, 2008, which denied his motion for a certificate of appealability to appeal a district court dismissal of his petition for a writ of habeas corpus filed under 28 U.S.C. § 2254.

Upon consideration, the court has concluded that it did not act under any misapprehension of law or fact in its order entered January 28, 2008. *See* Fed. R. App. P. 40(a). Accordingly, the petition for rehearing is denied.

ENTERED BY ORDER OF THE COURT

Frederick Jones

Leonard Green
Clerk

*The Honorable Daniel M. Friedman, Circuit Judge of the United States Court of Appeals for the Federal Circuit, sitting by designation.

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Leonard Green
Clerk

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Filed: May 07, 2008



Dennis Elliott
Macomb Correctional Facility
34625 26 Mile Road
New Haven, MI 48048

Re: Case No. 07-1732, *Elliott v. Romanowski*
Originating Case No. : 05-74085

Dear Sir or Madam,

The Court issued the enclosed (Order/Opinion) today in this case.

Sincerely yours,

s/Roy G. Ford
Case Manager
Direct Dial No. 513-564-7016
Fax No. 513-564-7096

cc: Mr. Brian O. Neill
Honorable Nancy G. Edmunds
Mr. David J. Weaver

Enclosure